

PRICE AND ASSOCIATES
PAMELA Y. PRICE (SBN 107713)
pypesq@aol.com
1611 Telegraph Avenue, Suite 1450
Oakland, CA 94612
Telephone: (510) 452-0292
Facsimile: (510) 452-5626
Attorneys for Plaintiff
MARY B. FOYE

JACKSON LEWIS LLP
MICHAEL J. CHRISTIAN (SBN 173727)
christianm@jacksonlewis.com
ERIKA BARBARA PICKLES (SBN 215702)
picklese@jacksonlewis.com
801 K Street, Suite 2300
Sacramento, California 95814
Telephone: (916) 341-0404
Facsimile: (916) 341-0141
Attorneys for Defendant
NATIONAL RAILROAD PASSENGER
CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARY B. FOYE,

Plaintiff,

v.

NATIONAL RAILROAD PASSENGER
CORPORATION

Defendant.

Case No. C 3:08-cv-04796-SI

**STIPULATION AND [PROPOSED]
ORDER CONTINUING DEADLINE TO
COMPLETE MEDIATION**

Complaint Filed: July 17, 2008
Trial Date: July 12, 2010

Plaintiff Mary B. Foye and Defendant National Railroad Passenger Corporation
("Amtrak"), by and through their counsel of record, submit the following Stipulation and
Proposed Order Continuing the Deadline to Complete Mediation.

1. The current deadline to complete mediation is May 13, 2009.
2. Good cause exists to continue the mediation deadline 60 days because there
are outstanding pleading issues that need to be resolved before the parties mediate.

///

///

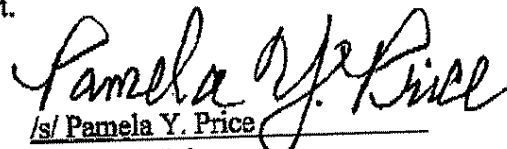
Apr. 13. 2009 9:29AM

Price And Associates

3. Defendant filed a motion to amend its answer on February 13, 2009.¹ On March 16, 2009, Plaintiff filed a motion to amend her complaint to add two new claims. Both motions will be heard on May 8, 2009. Continuing the mediation deadline 60 days will allow sufficient time for the Court to hear the pending motions and, if necessary, sufficient time for Plaintiff to file an amended complaint and for Defendant to respond to the amended complaint before the parties attempt to mediate. In addition, if Plaintiff's motion to amend her complaint is granted, Defendant will conduct initial discovery of Plaintiff's new claims prior to the mediation. As such, the parties have agreed to request a 60-day continuance of the deadline to complete mediation, such that the deadline is continued from May 13, 2009 to July 13, 2009.

4. The parties' proposed continuance of the mediation deadline will not affect any other deadlines previously set by the Court.

Dated: April 13, 2009



/s/ Pamela Y. Price
Pamela Y. Price
Attorney for Plaintiff Mary B. Foye

Dated: April 13, 2009

/s/ Erika Barbara Pickles
Erika Barbara Pickles
Attorney for Defendant
National Railroad Passenger Corporation

PURSUANT TO STIPULATION, IT IS SO ORDERED: The deadline to complete mediation is continued from May 13, 2009 to July 13, 2009.

Dated: _____


Judge Susan Illston
United States District Court Judge

¹ Defendant's motion was re-filed on March 11, 2009 before Judge Marilyn H. Patel, after the case was reassigned to Judge Patel.